

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BILLY DRIVER, JR.,

Plaintiffs,

v.

TAMARAH HARBER-PICKENS, *et al.*,

Defendants.

No. 1:19-cv-01775-DAD-EPG

ORDER DISMISSING ACTION FOR
FAILURE TO PAY THE REQUIRED FILING
FEE AND FAILURE TO OBEY A COURT
ORDER

Plaintiff Billy Driver Jr. is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On April 14, 2020, following a *de novo* review of the case, the undersigned adopted in full the assigned magistrate judge's January 1, 2020 findings and recommendations and ordered plaintiff to pay the required filing fee in full within forty-five (45) days to proceed with this action. (Doc. No. 13.) Plaintiff was warned that failure to pay the filing fee would result in dismissal of this action for failure to prosecute and failure to obey a court order. (*Id.* at 2.) More than forty-five (45) days have passed since the issuance of the court's April 14, 2020 order, and plaintiff has not paid the required filing fee, nor has he otherwise communicated with the court.

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Accordingly,

1. This action is dismissed without prejudice due to plaintiff's failure to comply with a court order, his failure to prosecute this action, and his failure to pay the required filing fee;
2. All pending motions in this action—including plaintiff's two motions seeking "preliminary and/or final approval as to settlement" (Doc. Nos. 6, 10) and plaintiff's two motions seeking orders to show cause (Doc. Nos. 11, 12)—are denied as moot;
3. The Clerk of the Court is directed to close this action; and
4. No further filings will be entertained in this closed case.

IT IS SO ORDERED.

Dated: **June 9, 2020**


UNITED STATES DISTRICT JUDGE